

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SOVERAIN SOFTWARE LLC,

Plaintiff,

v.

CDW CORPORATION,

NEWEGG INC.,

REDCATS USA, INC.

SYSTEMAX INC.,

ZAPPOS.COM, INC.,

REDCATS USA, L.P.,

THE SPORTSMAN'S GUIDE, INC.,

AND

TIGERDIRECT, INC.,

Defendants.

Case No. 6:07-CV-00511-LED

JURY TRIAL DEMANDED

**UNOPPOSED MOTION TO VACATE ORDER (DKT. NO. 174) AND
TO ENTER A CORRECTED ORDER**

Due to an inadvertent error in the Agreed Motion for Extension of Time For Defendants to Comply with Patent Rules 4-2 and 4-3 and the proposed Order accompanying the motion (Dkt. No. 173), filed by Defendants, the Order of February 9, 2009 (Dkt. No. 174) granted extensions of time for complying with P.R. 4-2 and 4-3 and for the exchange of privilege logs to Defendants only.

The parties have conferred and reached agreement that these extensions of time should be applicable to all parties. A proposed corrected order is submitted herewith.

WHEREFORE, the parties respectfully request the Court to vacate the Order Granting Agreed Motion for Extension of Time For Defendants to Comply with Patent Rules 4-2 and 4-3 of February 9, 2009 (Dkt. No. 174) and to enter the corrected order submitted herewith.

Dated: February 10, 2009

Respectfully submitted,

/s/ Thomas L. Giannetti (with permission)

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

Pursuant to Local Rule CV-7(h), I certify that I have conferred with opposing counsel in a good faith attempt to resolve this matter by agreement, and been advised that Defendants do not oppose this motion. Plaintiff and Defendants have reached an agreement regarding the proposed Order submitted with this motion.

/s/ Thomas L. Giannetti

Thomas L. Giannetti

CERTIFICATE OF SERVICE

This is to certify that on February 10, 2009 a true and correct copy of the foregoing document has been served on all counsel of record via the Court's ECF system.

/s/ Thomas L. Giannetti

Thomas L. Giannetti